

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Graj et al.
Original Patent Number : 5,802,960
Issued : September 8, 1998
Title : ERGONOMIC COOKWARE

REISSUE APPLICATION DECLARATION BY THE INVENTORS

Commissioner for Patents
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are sated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is described and claimed in patent number 5,802,960, granted September 8, 1998, and for which a reissue patent is sought on the invention entitled ERGONOMIC COOKWARE the specification of which is attached hereto.

2. I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

3. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56.

4. I verily believe the original patent to be wholly or partly inoperative by reason of the patentee claiming less than patentee had the right to claim in the patent.

5. At least one error upon which reissue is based is described as follows:

Claim 15 of U.S. Patent No. 5,802,960 ("the '960 Patent") unduly limits the patentee's invention to an "ergonomic cooking utensil." The specification of the '960 Patent clearly indicates that a

plurality of ergonomic hand supported implements were contemplated at the time of filing the application which issued as the '960 Patent. For example, the specification recites "it is envisioned that the improved ergonomic handle can be used with buckets, watering cans, casserole dishes It is also envisioned that the handle can be used with hand and garden tools such as shovels, spades, backhoes, rakes and other tools which result in multidimensional forces on the forearm and wrist." (The '960 Patent, Col. 4, lines 31-38). Thus, it was an error to limit the claims of the '960 Patent to an ergonomic cooking utensil when clearly a variety of ergonomic hand supported implements were contemplated by the patentee.

6. All errors corrected in this reissue application up to the time of filing of the declaration arose without any deceptive intention on the part of the applicant.

7. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

8. As a named inventor, I hereby revoke any prior power of attorney and I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected herewith.

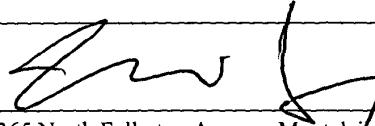
Joel E. Lutzker Reg. No. 29,406
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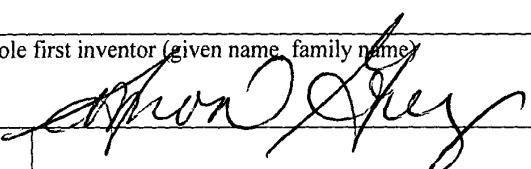
9. Direct all communications about the application to :

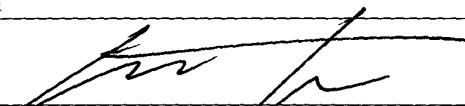
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10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that

such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

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